

IC 20-24-2.2

Chapter 2.2. Monitoring and Accountability of Sponsors

IC 20-24-2.2-1

Information on department Internet web site

Sec. 1. The department shall establish a charter school page on the department's Internet web site that includes information on the following:

(1) All approved authorizers, including the authorizers' processes for the following:

(A) Monitoring approved schools at regular intervals.

(B) Establishing minimum standards for renewing a charter or not renewing a charter.

(C) Processes and standards for school closure, including the transfer of academic records to other schools and postsecondary educational institutions.

(2) All pending applications for a charter.

(3) All approved applications for a charter.

(4) All rejected applications for a charter.

(5) The authorizer's annual report as required under IC 20-24-9.
As added by P.L.91-2011, SEC.8. Amended by P.L.280-2013, SEC.11.

IC 20-24-2.2-1.5

Authorizer; adoption of standards

Sec. 1.5. All approved authorizers shall adopt standards of quality charter school authorizing, as defined by a nationally recognized organization with expertise in charter school authorizing.

As added by P.L.280-2013, SEC.12.

IC 20-24-2.2-2

Minimum standards for charter renewal

Sec. 2. The minimum standards for renewal and the standards to avoid closure imposed by authorizers on the charter school in the charter school agreement must include a requirement that the charter school not remain in the lowest category or designation of school improvement, including any alternative accountability category or designation, in the third year after initial placement in the lowest category or designation established under IC 20-31-8-4.

As added by P.L.91-2011, SEC.8. Amended by P.L.280-2013, SEC.13.

IC 20-24-2.2-3

Hearing concerning charter school that does not meet minimum standards; consequences

Sec. 3. (a) After giving at least thirty (30) days notice, the state board may require an authorizer to appear at a hearing conducted by the state board if the authorizer has renewed the charter of or failed to close a charter school that does not meet the minimum standards in the charter agreement as provided in section 2 of this chapter, as

posted on the department's Internet web site.

(b) After the hearing, the state board may implement one (1) or more of the following actions unless the state board finds sufficient justification for the charter school's performance under the state school accountability system:

- (1) Transfer the authorization of the charter school identified in subsection (a) to another authorizer.
- (2) Order the closure of the charter school identified in subsection (a) at the end of the current school year.
- (3) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school identified in subsection (a). The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

A charter school that is closed by the state board under this section may not be granted a charter by any other authorizer.

(c) In determining whether to impose consequences under subsection (b), the state board must consider the following:

- (1) Enrollment of students with special challenges such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.
- (2) High mobility of the student population resulting from the specific purpose of the charter school.
- (3) Annual improvement in the performance of students enrolled in the charter school, as measured by IC 20-31-8-1, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

As added by P.L.91-2011, SEC.8. Amended by P.L.6-2012, SEC.128; P.L.280-2013, SEC.14.

IC 20-24-2.2-4

Suspension of authority to authorize new schools

Sec. 4. If the state board has closed or transferred authorization of at least twenty-five percent (25%) of the charter schools chartered by one (1) authorizer under section 3 of this chapter, the authorizer's authority to authorize new charter schools may be suspended by the state board until the state board approves the authorizer to authorize new charter schools. A determination under this section to suspend an authorizer's authority to authorize new charter schools must identify the deficiencies that, if corrected, will result in the approval of the authorizer to authorize new charter schools.

As added by P.L.91-2011, SEC.8. Amended by P.L.280-2013, SEC.15.

IC 20-24-2.2-5

Education records; provision of summary; uses

Sec. 5. (a) The purpose of this section is to establish a cooperative relationship:

- (1) between the department and an authorizer; and
- (2) that fosters improved decision making related to charter

schools authorized by the authorizer.

(b) As used in this section, "covered records" refers to the following:

- (1) Education records (as defined in 20 U.S.C. 1232g(a)(4), as in effect January 1, 2013) of students who enrolled in a charter school authorized by an authorizer that are in the possession of the department or the state board.
- (2) Records in the possession of the department or the state board that relate to the evaluation of the performance of a charter school authorized by an authorizer or students who are enrolled in a charter school authorized by an authorizer.
- (3) Records in the possession of the department or the state board that relate to the evaluation of the performance of certified employees employed by a charter school authorized by an authorizer.
- (4) Records in the possession of the department or the state board related to the evaluation of the performance of an authorizer.

(c) Notwithstanding IC 5-14-3 or any other law, the department shall provide, without charge, an authorizer with either:

- (1) electronic access to; or
- (2) written copies of;

covered records, as requested by the authorizer, that relate to a charter school authorized by the authorizer or to the students or certified employees of the charter school. The department shall provide the covered records on a schedule determined by the authorizer.

(d) The department shall provide, without charge, an authorizer with a summary of the covered records that relate to a charter school authorized by the authorizer or to the students or certified employees of the charter school. The department shall provide the summary described in this subsection to the authorizer at least once each month. The authorizer may receive either paper copies of the summary or copies of the summary transmitted electronically, at the option of the authorizer. The summary must be sufficiently detailed to identify each category or collection of covered records. The department and the authorizer shall consult one another as necessary to carry out this section.

(e) An authorizer may use covered records received under this section only to:

- (1) administer a charter authorization program;
 - (2) monitor and evaluate compliance with state standards;
 - (3) identify educational weaknesses in charter school programs;
- or
- (4) improve charter school performance.

(f) An authorizer shall protect covered records received by the authorizer in a manner that will not permit the personal identification of students and their parents by persons other than officials of the authorizer who are directly involved in the authorization program or involved with studies related to charter schools authorized by the

authorizer. An authorizer shall destroy personally identifiable data when the information is no longer needed for purposes of audit, evaluation, and enforcement of state and federal requirements related to the charter schools authorized by the authorizer.

As added by P.L.280-2013, SEC.16.

IC 20-24-2.2-6

Revocation of authorizer's authority to function; charter school approval by new authorizer

Sec. 6. (a) If the deficiencies identified under section 3 of this chapter are not corrected within two (2) years after the date the state board suspends the authorizer's authority to authorize new charter schools in a final order under section 4 of this chapter, the state board, following an affirmative vote of two-thirds (2/3) of the members, may revoke the authorizer's authority to function as an authorizer. The state board shall take all necessary steps to decommission the authorizer, including overseeing the orderly winding up of authorization activities or responsibilities, and ensuring the transfer of any charter school records or administrative fees due under IC 20-24-7-4 in the authorizer's custody.

(b) Charter schools authorized by an authorizer that has been decommissioned under subsection (a) must apply to be approved by another authorizer within one hundred fifty (150) days after the date the state board revokes the authorizer's authority to function as an authorizer, regardless of whether the state board has begun the process of winding up authorization activities of the authorizer. A charter school that is not approved under this subsection must close at the end of the charter school's current school year containing the date in which the charter school's application under this subsection is disapproved. A charter school that is closed by the state board under section 3 of this chapter may not be approved by another authorizer under this subsection.

As added by P.L.280-2013, SEC.17.

IC 20-24-2.2-7

Relinquishment of authorizer status

Sec. 7. An entity may relinquish its authorizer status by providing the state board a written statement describing the authorizer's intention not to be considered an authorizer and the reasons why the authorizer wishes to relinquish its authorizer status. The written statement must reflect the intention of the authorizer's governing body. The state board shall review and act on the authorizer's written statement and shall take all steps necessary to decommission the authorizer, including overseeing the orderly winding up of authorization activities, and ensuring the transfer of any charter school records or administrative fee balances due under IC 20-24-7-4 in the authorizer's custody.

As added by P.L.280-2013, SEC.18.